

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DAVID H. TRIEGER and JANET M. §
TRIEGER, §
Plaintiffs, §
v. § Civil Action No. 3:19-CV-100-L
OCWEN LOAN SERVICING, LLC and §
US BANK NATIONAL ASSOCIATION, §
AS TRUSTEE OF NRZ PASS- §
THROUGH TRUST IX, §
Defendants. §

JUDGMENT

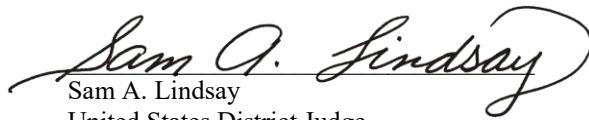
The court issues this judgment pursuant to its memorandum opinions and orders of August 15, 2019 (Doc. 31); August 30, 2019 (Doc. 32); and October 22, 2019. It is, therefore, **ordered, adjudged, and decreed**, that: (1) all claims asserted by Plaintiffs David H. Trieger and Janet M. Trieger (“Plaintiffs”) in their Original Verified Petition (Doc. 1-1 & 7-3) are **dismissed** in accordance with the court’s previous orders; (2) Plaintiffs’ request for attorney’s fees pursuant to RESPA, the Texas Debt Collection Act, and common law is **denied**; (3) any additional relief requested by Plaintiffs is **denied**; and (4) pursuant to the Note, Security Instrument, and Texas Property Code, Defendant U.S. Bank National Association, as Trustee of NRZ Pass-Through Trust IX (“U.S. Bank”) is entitled to judgment on its claim seeking an order permitting judicial foreclosure of the Property at issue, and the court **declares** that U.S. Bank has the right to proceed with judicial foreclosure.

It is also **ordered, adjudged, decreed, and declared** that U.S. Bank may proceed with the judicial foreclosure of the Property located at 9648 Fallbrook Drive, Dallas, Texas, 75243, which is legally described as follows:

BEING LOT 8, BLOCK 8/8150 OF TOWN CREEK ADDITION, FIRST SECTION, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 72120, PAGE 808, MAP RECORDS, DALLAS COUNTY, TEXAS.

It is further **ordered, adjudged, and decreed** that the foreclosure **shall** proceed in accordance with the Note, Security Instrument, and Texas Property Code; that U.S. Bank **shall** provide to Plaintiffs and their attorneys by certified mail notice of the foreclosure sale; that any notices to Plaintiffs regarding the foreclosure of the Property shall be mailed to them at 9648 Fallbrook Drive, Dallas, Texas, 75243; that U.S. Bank may communicate with Plaintiffs and all third parties reasonably necessary to conduct the foreclosure sale; that all allowable and reasonable costs of court are taxed against Plaintiffs; and that all other relief not expressly granted herein, except for U.S. Bank's request for attorney's fees, which the court will consider postjudgment pursuant to Federal Rule of Civil Procedure 54(d)(2), is **denied**.

Signed this 22nd day of October, 2019.



Sam A. Lindsay
United States District Judge